

F. No. 8-12/2017-FC
Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj,
New Delhi - 1100 03,
Dated: 09th April, 2018

To,

The Principle Secretary Forests,
Department of Forests and Environment,
Government of Rajasthan,
Jaipur.

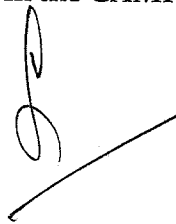
Sub: Diversion of 91.202 ha. of forest land in favour of Executive Engineer, Water Resource Department Sirohi for construction of Battisha Nallah, Minor Irrigation Project, Tehsil - Aburoad, District Sirohi, Rajasthan.- regarding.,

Sir,

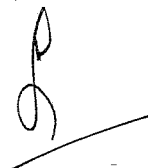
I am directed to refer to the State Government of Rajasthan's letter No. F-14()/2016/FCA/PCCF/3171 dated 20.12.2016 on the above mentioned subject, seeking prior approval of Central Government under Section-2 of the Forest (Conservation) Act, 1980, After careful consideration of the proposal by the Forest Advisory Committee constituted by the Central Government under Section-3 of the said Act, 'in-principle' /Stage -I approval to the proposal was granted vide this Ministry's letter of even number dated 22.09.2017 subject to fulfillment of certain conditions prescribed therein. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested the Central Government to grant final approval.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government of Rajasthan vide their letters No. F.14 () 2016/FCA/PCCF/4354 dated 27.11.2017 and No. F.14 () 2016/FCA/PCCF/902 dated 16.02.2018, final approval (*Stage - 2*) of the Central Government is hereby granted under Section -2 of the Forest (Conservation) Act, 1980 for diversion of 91.202 ha of forest land in favour of Executive Engineer, Water Resource Department Sirohi for construction of Battisha Nallah, Minor Irrigation Project, Tehsil - Aburoad, District Sirohi, Rajasthan, subject to fulfillment of the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation over the non-forest land, equal in extent to the 91.202 ha. of forest land being diverted shall be raised on identified land within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved plan by the State Forest Department from the funds of Rs. 27,81,6,610/- deposited in Ad-hoc CAMPA account by the User Agency;
- (iii) The State Government shall ensure that the State Forest Department will implement Soil and Moisture Conservation activities as per site requirement from the funds Rs. 55,63,322/- deposited by the user agency in the CAMPA account;

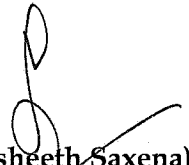


- (iv) The State Government shall ensure that the State Forest Department shall implement the approved CAT plan from the funds of **Rs. 21,55,000/- deposited by the user agency in Ad-hoc CAMPA account;**
- (v) The non-forest land to be transferred and mutated in favour of the State Forest Department for raising Compensatory Afforestation shall be notified as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section (s) of the local Forest Act. The Nodal Officer must report compliance within a period of six (6) months from the date of grant of stage-II approval under the Forest (Conservation) Act, 1980 for diversion of the said forest land and send a copy of the notification declaring the non-forest land under Section - 4 or Section - 29 of the Indian Forest Act, 1927, or under the relevant section of the local forest Act as the case may be, to this Ministry for information and record;
- (vi) The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- (vii) The project area shall be demarcated on ground at the project cost using 4 feet high RCC pillars with each pillar inscribed with serial No. forward and backward bearing distance between 2 adjacent pillars and GPS co-ordinates;
- (viii) The User agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- (ix) No additional forest land will be sought for construction of any canal in future;
- (x) The Felling of trees on the forest land being diverted shall be reduced to the bare minimum and the trees should be felled under strict supervision of the State Forest Department;
- (xi) The User agency shall take up afforestation activities all along the Reservoir / Dam / Canal in consultation with the Forest Department;
- (xii) The Government of Rajasthan and the user agency shall ensure that the trees available between Full reservoir level (FRL) and FRL-4 meters are not felled;
- (xiii) The User Agency shall provide free water from the project for all forestry related activities;
- (xiv) The State Government shall ensure the layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xv) No labour camps shall be established on the forest land;
- (xvi) The Forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other agency, department or person.
- (xvii) The State Government shall ensure the user agency shall provide alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- (xviii) User agency shall ensure that because of this project, no damage is caused to the flora and fauna available in the area;
- (xix) The State Government shall ensure that the user agency may be carried out muck disposal at pre-designated sites in such a manner so as to avoid its rolling down;
- (xx) The State Government shall ensure the implementation of conditions stipulated by the Standing Committee of the NBWL at the cost of user agency;



- (xxi) The State Government shall ensure in - consultation with State Agriculture Department to utilize such area (except those located in forest land) during dry months for cultivation of appropriate crops by the project affected families (without the use of fertilizers) simultaneously during implementation of the project;
- (xxii) The State Government shall ensure that the dumping area for muck disposal shall be stabilized and reclaimed by planting suitable species by the user agency at the cost of project under the supervision of State Forest Department;
- (xxiii) The State Government shall maintain the character of the project as an irrigation project and to ensure continued benefit to the farmers in the command area, no more diversion of water from the project for industrial projects will be permitted in future;
- (xxiv) Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- (xxv) The User Agency shall submit the annual self-compliance report in respect of the above conditions and also to the conditions stipulated in Stage -I clearance to the State Government, concerned Regional and this Ministry by the end of March of every year regularly; and
- (xxvi) The User Agency and the State Government shall ensure compliance to provisions of the all Act, Rules, Regulations, Guidelines and relevant Hon'ble Court Order (s), if any, pertaining to this project for the time being in force, as applicable to the project;

Yours faithfully,

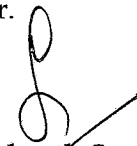


(Nisheeth Saxena)

Sr. Assistant Inspector General of Forests (FC)

Copy to:

1. The Principal Chief Conservation of Forests, Government of Rajasthan, Jaipur.
2. The Addl. PCCF (Central), Regional Office (Central Zone), Lucknow.
3. The Nodal Officer, FCA O/o the PCCF, Government of Rajasthan, Jaipur.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi.
6. Guard File.



(Nisheeth Saxena)

Sr. Assistant Inspector General of Forests (FC)

